

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JANE A. HALBRITTER,

Plaintiff,

-against-

STONEHEDGE ACQUISITION ROME II,
LLC and STONEHEDGE ACQUISITION
CHITTENANGO II, LLC,

Defendants.
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07 Civ. 3848 (WHP)

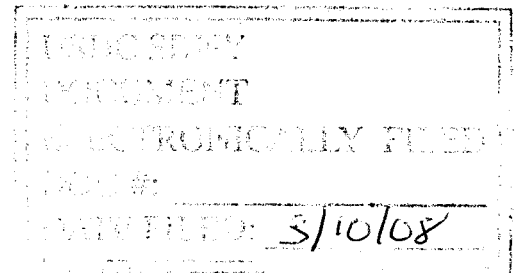
ORDER

WILLIAM H. PAULEY III, District Judge:

Counsel to the parties and counsel for Epstein Becker & Green, P.C. ("Epstein Becker") having appeared for a conference on February 22, 2008, the Court concludes as follows:

(1) Epstein Becker shall produce by February 29, 2008 any e-mails, dated prior to January 1, 2007, between deal counsel for the buyers and sellers of Stone Hedge Nursing Home Rome, Inc. and Stone Hedge Nursing Home Chittenango. Inc., any non-privileged e-mails dated on or after January 1, 2007 between Epstein Becker and any of the parties involved in this action or the transaction underlying this action (the "Epstein Becker E-mails"), and a privilege log for any e-mails that are withheld on the basis of attorney-client privilege;

(2) Defendants shall submit an application to the Court if, after reviewing the Epstein Becker E-mails, they wish to re-open the depositions of the Epstein Becker & Green, P.C. witnesses, and this Court will reopen the depositions only if Defendants can make a significant showing of necessity;



(3) Plaintiff and Epstein Becker's objections to questions at the depositions of the Epstein Becker witnesses regarding conversations between former and current counsel for Plaintiff are sustained;

(4) Defendants' request to depose Eric Facer is granted, and Defendants are directed to complete the deposition by March 31, 2008;

(5) Saunders, Kahler, Amoroso & Locke shall produce any documents withheld on the basis of attorney-client privilege;

(6) Edward Mucenski's objection to questions regarding conversations with law enforcement officials is sustained;

(7) Defendants shall produce documents relating to the corporate formalities and ownership interests of 801 North James Street, LLC and 331 Russell Street, LLC by March 4, 2008;

(8) Defendants' request that Plaintiff's sur-reply memorandum of law in further opposition to Defendants' motion to dismiss be stricken is denied;

(9) This Court will hold a status conference on April 4, 2008 at 9:45 a.m.; and

(10) Defendants shall serve a copy of this order on Saunders, Kahler, Amoroso & Locke.

Dated: March 7, 2008
New York, New York

SO ORDERED:


WILLIAM H. PAULEY III
U.S.D.J.

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